

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2497
Version: Second engrossment

DATE: April 1, 2016

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Subject: Temporary family health care dwellings, permits

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Overview

This bill makes a “temporary family health care dwelling” a temporary conditional use unless the local government has designated it a permitted use. A “temporary family health care dwelling” essentially is a mobile home for a mentally or physically impaired person to live in that is placed on the property of a relative or caregiver, making it easier for the caregiver to provide care. The bill also allows local governments to opt-out of the provisions of the bill.

Section

1 Housing with services establishment or establishment. Adds “temporary health care dwellings” to the definition of “housing with services establishment.”

2 Zoning of temporary family health care dwelling (county zoning law).

Subd. 1. Definitions. Defines terms used in the new law, including “temporary family health care dwelling,” which is a “mobile residential dwelling.”

Subd. 2. Temporary family health care dwelling requirements. Specifies construction, size, and other elements of a temporary family health care dwelling.

Subd. 3. Temporary conditional use; application. Provides that unless a permitted use, a temporary family health care dwelling is a temporary conditional use if the dwelling is on property where the caregiver or relative resides. Specifies the information required in an application. Requires temporary family health care dwellings to comply with setbacks, provide for septic service or management, be sure emergency vehicles can access to the dwelling in a safe and timely manner. Limits one temporary family health care dwelling with one occupant per lot. Requires a dwelling

Section

to comply with all state laws, local ordinances, and other requirements unless otherwise provided.

Subd. 4. Initial permit term; renewal. Provides an initial permit term of six months, with an option for renewal.

Subd. 5. Inspection. Permits the county to require evidence of compliance with this section while the dwelling is on the property and to inspect.

Subd. 6. Revocation of permit. Permits the county to revoke the permit if the permit holder violates requirements. Gives the permit holder 60 days to remove the dwelling if the permit is revoked.

Subd. 7. Fee. Provides for a \$100 fee (\$50 for renewal) unless the county has established otherwise by ordinance.

Subd. 8. No public hearing required; application of section 15.99. Exempts the county from holding public hearings and limits the time to issue the permit to 15 days. Gives the county five business days to determine if the application is complete and notify the applicant what information is missing. (As under section 15.99, if a county does not act within the 15 days, the permit would be deemed approved.)

Subd. 9. Opt-out. Permits a county by resolution to opt-out of the section requirements.

Effective July 1, 2016, and applies to temporary conditional use permit applications made under this section on or after that day.

- 3 Temporary family health care dwellings (municipal planning statutes).** Same as section 2, but in the statute governing city and town planning and zoning.